

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE
402 EAST STATE STREET, ROOM 4000
TRENTON, NJ 08608

April 3, 2024

LETTER ORDER

Re: Andy Kim, *et al.* v. Christine Giordano Hanson, *et al.*
Civil Action No. 24-1098-ZNQ-TJB

Dear Counsel:

Before the Court are two Emergency Motions to Intervene. The first motion was filed by Republican Candidates Greg Mele, Hector Castillo, Albert Harshaw, and Shirley Maia-Cusick. (“Republican Candidate Motion”, ECF No. 220, 226.¹) The second motion was filed by the Morris County Republican Committee (“MCRC”), Laura Ali, the New Jersey Republican Chairs Association (“NJRCA”), and Jose Arango, (collectively, “Republican Committees”). (“Republican Committees Motion”, ECF No. 221).

Both Motions seek to intervene on an emergent basis. Republican Candidates wish to challenge what they believe is the too-narrow Order issued by the Court on the Motion for Preliminary Injunction. (Republican Candidate Motion ¶¶ 6–9.) They would prefer that the Court’s injunction apply to the 2024 GOP Primary as well. (*Id.*) Republican Committees take the opposite position, asking to intervene to ensure that the Court’s injunction does not apply to the 2024 GOP Primary. (*Id.*)

The trouble with both Motions is that they are both too little and too late. They are too late insofar as the Court set a deadline of March 6, 2024 for would-be litigants to seek to intervene for the purposes of the Motion for Preliminary Injunction.² (*See* ECF No. 34.) More importantly, the Court has since issued its decision on the Preliminary Injunction, and it has been appealed to the Third Circuit. The Circuit has ordered an emergent briefing schedule that concludes at 10:00 a.m. today. (*See* App. No. 24-1593 at ECF No. 7.) Thus, if Republican Candidates or Republican Committees wished to join this matter in district court for the purposes of litigating the motion for preliminary injunction, the time to do so has long since passed. Their recourse is at the Circuit.

To the extent that either party seeks to now generally join the main suit on the merits, their Motions are too little insofar as they lack a proposed pleading. Although the Court set a deadline for the parties to


¹ For reasons unclear, Republican Candidates appear to have filed the same motion twice. Once by counsel, Robert Kovic. (ECF No. 220.) And a second time by emailing a copy to the Clerk’s Office Help Desk. (ECF No. 226.) After the second filing, the Clerk’s Office caught the duplication and terminated the second motion. The Republican Candidates’ needlessly duplicative filing was an abuse of Clerk’s Office resources devoted to *pro se* parties and it has added to an already cluttered docket. It is not to be repeated.

² Movants are not claiming that they were unaware of this case, nor could they reasonably do so. The Court takes judicial notice of the fact that this matter has been well-publicized.

respond to the Motions by today, April 3, 2024, it is apparent that no filing from the parties either in support or opposition can change the fact that the Federal Rules of Civil Procedure require would-be intervenors to include a proposed pleading with their application, at least in part so that the existing parties have notice of their position and can determine whether they wish to object to their joinder. *See* Fed. R. Civ. P. 24(c). Plaintiffs, Defendants, the Intervenor CCDC, and the Court have been deprived of that notice.

For these reasons, the Court hereby DENIES both Motions to Intervene (ECF Nos. 221, 226) without prejudice to Movants' rights to renew their applications at a later time with submissions that fully comply with Rule 24.

IT IS SO ORDERED.



ZAID N. QURAISHI
UNITED STATES DISTRICT JUDGE